

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

FILED

for the

June 22, 2023

Western District of Texas

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

BY: Cecie Rodriguez
DEPUTY

Hector Javier DOMINGUEZ

Case No.

EP:23-MJ-1796 ATB*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 21, 2023 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

Title 18 U.S.C. § 554(a)

Whoever fraudulently or knowingly exports or sends from the United States, or attempts to export or send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States, to-wit: Thirteen thousand three hundred (13,300) rounds of 7.62X39mm ammunition.

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.
Complainant's signature

Jesus Garcia, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/22/2023*Judge's signature*

City and state:

El Paso, Texas

Anne T. Berton, U.S. Magistrate Judge

*Printed name and title*Complaint sworn to telephonically on
June 22, 2023 at 1:39pm and signed
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

AFFIDAVIT

I make this affidavit based on my personal knowledge and information furnished to me by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each fact known to me concerning this investigation.

In June 2023, Homeland Security Investigations (HSI) special agents (SAs) received information that bulk quantities of ammunition were being shipped to an apartment building located in El Paso, Texas. The ammunition was then being exported, contrary to United States (U.S.) Customs laws. This apartment is located in the Western District of Texas.

On June 21, 2023, HSI SAs, an HSI Task Force Officer (TFO) and Texas Department and Public Safety SAs conducted surveillance at the apartment building. At approximately 2:30 p.m., an HSI SA observed a package delivery service truck park at the apartment building. The HSI SA noticed the driver of the delivery truck drop off nineteen (19) boxes at the apartment building.

At approximately 6:45 p.m., agents observed a silver vehicle driven by Hector Javier DOMINGUEZ arrive at the apartment building. Agents observed DOMINGUEZ grab two (2) of the nineteen (19) boxes and place them inside the vehicle he was driving. Agents then placed DOMINGUEZ under arrest and transported him to the HSI El Paso office for questioning and investigation.

A law enforcement database query revealed that at approximately 6:40 p.m., DOMINGUEZ had entered the U.S. through the Paso Del Norte Port of Entry (POE) in the same vehicle.

At the HSI office an HSI SA and an HSI TFO read DOMINGUEZ his Miranda rights in the Spanish language. DOMINGUEZ stated he understood his rights and was willing to speak to them without the presence of an attorney.

Below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Communications by the parties in the interview room were electronically recorded. The recording captures the actual words spoken.

HSI SAs questioned DOMINGUEZ regarding the boxes he had picked up at the apartment building. DOMINGUEZ stated that approximately three (3) weeks prior to June 21, 2023, a friend of his that resides in Ciudad Juarez, Mexico offered him fifty (50) U.S. dollars per ammunition box that he transported from El Paso, TX to Ciudad Juarez, Mexico. DOMINGUEZ stated he had successfully transported ammunition on six (6) different occasions and had transported approximately fifty (50) boxes of ammunition. DOMINGUEZ stated once he had crossed into Ciudad Juarez, he would contact his friend for further instructions on where to deliver the boxes. DOMINGUEZ stated his friend had paid him approximately two thousand five hundred (\$2,500) U.S. dollars for the boxes he

had successfully delivered to Ciudad Juarez. DOMINGUEZ stated he had picked up all the ammunition boxes he had transported to Ciudad Juarez from the same apartment building where he was arrested. DOMINGUEZ stated he would then exit the U.S. through the Stanton POE. DOMINGUEZ stated on the day of his arrest he was going to pick up five (5) boxes of ammunition from the apartment building and transport them to Ciudad Juarez, Mexico. DOMINGUEZ stated he knew it was illegal to export ammunition from the U.S. and that he did not have a license to export the ammunition.

Your affiant is aware that ammunition is controlled for export to Mexico on the Commerce Control List. Your affiant is also aware that a license, issued by the U.S. Department of Commerce, is required for the export of ammunition to Mexico.

An Assistant United States Attorney was apprised of the facts of the case and approved federal prosecution of DOMINGUEZ for violations of Title 18 U.S.C. 554; Smuggling Goods from the United States. DOMINGUEZ was booked into the El Paso County Detention Facility pending further criminal proceedings.